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July 19, 2022

VIA ECF

Honorable Katharine H. Parker
United States District Court
Southern District of New York
500 Pearl Street
New York, New York 10007

Re: *Xiamin Zeng v. City of New York, et al.*,
19 Civ. 3218 (JGK) (KHP)

Your Honor:

I am an Assistant Corporation Counsel in the Office of Hon. Sylvia O. Hinds-Radix, Corporation Counsel of the City of New York, and attorney for defendants City of New York, Detective Danielle Febus, and Police Officer Erlene Wiltshire in the above-referenced matter. With plaintiff's consent, defendants write to respectfully request that the Court: (1) extend the close of fact discovery from August 5, 2022 until September 9, 2022; and (2) grant corresponding extensions of all other dates in the Court's May 31, 2022 Scheduling Order (Docket Entry No. 90) by five (5) weeks. This is the first request for an extension of these deadlines.

As indicated in the parties' May 27, 2022 joint status report (Docket Entry No. 89), defendants already served a notice of plaintiff's deposition. However, the parties have not yet scheduled that deposition. On August 8–10, 2022, defense counsel is scheduled to conduct a trial in the matter of *Caldwell v. Officer Geronimo*, 19 Civ. 8253 (SLC) before this Court. As such, defendants seek to depose plaintiff after the conclusion of defense counsel's trial in the *Caldwell* matter. Accordingly, to allow the parties ample time to schedule that deposition, defendants respectfully request that the Court extend the close of fact discovery until September 9, 2022.

Defendants also request that the Court grant corresponding extensions of all other dates in the Scheduling Order. Defendants propose extending the dates for filing: (i) dispositive motions, if any, from September 9, 2022 until October 14, 2022; and (ii) a joint pre-trial order, from September 30, 2022 until November 4, 2022, or 21 days after decision on any dispositive motion.

Accordingly, with plaintiff's consent, defendants respectfully request that the Court: (1) extend the close of fact discovery until September 9, 2022, and (2) extend all other dates in the Court's Scheduling Order by five (5) weeks.

Defendants thank the Court for its consideration herein.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Jeffrey Frank", written over a horizontal line.

Jeffrey F. Frank

Assistant Corporation Counsel

Special Federal Litigation Division

cc: All Counsel (via ECF)